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NOTE

1. It soon becomes obvious that Wright's un-grammatical use of plural pronouns with singular antecedents stems from a politically correct desire to be inclusive. Such infelicities are of negligible importance when he writes in his own hand. But in an exegetical work the distortion this practice brings to the Greek text of the New Testament is inexcusable. In his biblical citations, Wright repeatedly substitutes "they" and "their" for "he" and "his," "family" for "brethren," "Judeans" for "Jews," etc. which are simply mistranslations of the text.

God, Locke, and Equality: Christian Foundations in Locke's Political Thought, by Jeremy Waldron. Cambridge University Press, 2002. Pp., 263, \$60.00 (cloth); \$22.00 (paper).

Hobbes, Locke, and Confusion's Masterpiece: An Examination of Seventeenth-Century Political Philosophy, by Ross Harrison. Cambridge University Press, 2003. Pp. 281, \$65.00 (cloth); \$23.00 (paper).

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In these two texts we find discussions of 17th century political philosophy that acknowledge both that Locke's *Two Treatises* and Hobbes' works on natural law are period pieces, distinctively shaped by their times, but also classics, in Harrison's phrase "transportable" to our time. Both Waldron and Harrison take the location of these classic texts in what Harrison calls a "religiously saturated" age to be an obstacle to their transport to our secular or, as Harrison styles it, our agnostic age. Their respective responses to this putative obstacle lead them in opposite directions. Harrison takes Locke to be largely confined to his own age because of the religious preoccupations that he shares with his contemporaries. He takes Hobbes to be the greatest political philosopher of the age because, for Hobbes, religion bears no weight in political philosophy. Waldron argues that the religious cannot be bracketed from Locke's argument for and, therefore, his conception of equality. According to Waldron religious claims are necessarily weight bearing in Locke's account of equality. Waldron further warns that we bracket the religious argument for equality at our peril or, perhaps, at the cost of incoherence or false consciousness. The warning is consistent with his frequently expressed disagreement with the Cambridge School's reading of Locke as simply a period piece. While Waldron warns that agnosticism imperils commitment to equality, Harrison opts for an agnostic account for agnostic times.

Waldron sets out to show, contrary he tells us to his own earlier view, that "Locke's equality claims are not separable from the theological claim that shapes and organizes them" (p. 82). The argument for this central assertion is systematically set out in chapter 3, "Species and the Shape of Equality," and defended and articulated in subsequent chapters. After asserting the centrality of equality in Locke's political thinking, Waldron

argues, despite language suggesting otherwise in the *Second Treatise*, that the attribution of equality cannot for Locke turn on species membership. This is because Locke argued in the *Essay* that species are nominal essences; and that, therefore, the human species has no real essence. What Locke needs, says Waldron, is a "range" property, a property describing real resemblances between individuals in the class of equals and further specification of range or threshold that is not arbitrary. We must have a reason to isolate a particular property as definitive of the range. Locke's candidate for the range property is "'the power of Abstracting,' the capacity to reason on the basis of general ideas" (p. 75). Locke focuses on this property because it is the power of abstracting that accounts for our capacity to reason to God's existence and to infer our duties from our understanding of God. The deep reason I should recognize another as equal who is like me in having the power of abstracting, is that I see that she, like me, is the "Workmanship" of "one Sovereign Master," and furthermore, that she, like me, has the ability to understand herself and her aims as such.

This theological basis for equality cannot be bracketed from the conception of equality since, Waldron contends, our way of arguing for a particular concept may constrain the way we understand the concept. Waldron takes this claim to be exemplified by Mill's harm principle. Mill's understanding of harm is necessarily sensitive; i.e., not separable from, the reasons Mill offers in support of the harm principle. And so too, argues Waldron, Locke's theological argument for equality constrains his conception of equality.

Two conclusions are possible on the basis of this argument. The first, most obvious and explicitly asserted by Waldron, is that no egalitarian position shorn of Locke's justification of equality is Lockean egalitarianism. This is an interesting, if not earthshaking conclusion. If Waldron is right (and it would appear that a growing number of scholars including Harrison would agree with him) so much the worse for Waldron circa 1982; so much the worse for Nozick, so much the worse for anyone who purports to offer a non-theologically warranted version of Lockean egalitarianism. The second, more interesting, but never either quite asserted or decisively denied by Waldron, is that any conception of equality has to be a Lockean conception, because there is no non-question begging way to set the threshold apart from Lockean theological considerations. At the end of the chapter three argument, he says that "[the atheist] will be at a loss to defend any particular line or threshold, in a non-question begging way" (p. 81). The atheist either arbitrarily defines a threshold for equality or self-deceptively employs the theologically defined threshold while denying that he is doing so. So, it seems, no conception of equality that isn't a Lockean conception is possible. But at the end of the book the claim is much weaker, vaguely prophetic. We think we can understand equality apart from a religious foundation, but Locke would think we are taking a risk in so understanding equality. Waldron is "afraid it is not entirely clear, given our experience of a world and a century in which politics and public reason have cut loose from these foundations, that his cautions and suspicions were unjustified" (p. 243). At this point Waldron seems to rest his claim that theology cannot be bracketed from our conception of equality.

ty more on the historically central role of theological warrant in arguing for equality than on the logical indispensability of religious warrants.

Three replies can be made to the claim that we attempt to bracket the theological from Locke's account of equality at our peril: 1) the warning against bracketing is unwarranted; 2) the charge of the atheist's question-begging is as well directed against Locke as the atheist; and 3) given Waldron's own insistence that warrants offered in favor of a particular conception can constrain the content of the concept, it seems clear that Locke's conception of equality falls under the shadow of Locke's argument for equality with troubling anti-egalitarian consequences.

The warning is unwarranted since it would seem that equality is no less robust in our secular age than it was in Locke's time. If anything, the commitment to equality seems more central now than then. Further, we know that there are enterprises that historically required a theological foundation but that thrive after bracketing has occurred. Here modern natural science comes to mind and, in particular, the role that believing that the universe was the creation of an omniscient creator played, for figures such as Boyle and Newton, in warranting the enterprise of investigating the universe.

It is not clear why Waldron thinks the atheist cannot offer a non-question begging, non-arbitrary threshold for equality. In fact he discusses Hobbes' range property—that the weakest has strength enough to kill the strongest—and Rawls—the capacity for moral personality—and gives no reason to believe that either is arbitrary. Clearly the former isn't arbitrary, if one thinks that the most pressing political question is how we are to warrant the political authority necessary to enforce agreements and to ensure against lapsing into the state of nature. But then one can also ask why Locke's threshold isn't arbitrary. Certainly any defender of animal rights or the moral considerability of animals would insist that Locke's threshold is arbitrary, as would anyone looking to protect the rights of the profoundly retarded, the comatose, those suffering the last stages of Alzheimer's, etc. To answer these objections one might distinguish political equality from equality of consideration or some such. Waldron doesn't in fact do this, and since he never explains what Locke's conception of equality is *of*—resources, consideration, basic rights, welfare, life chances, etc.—it is hard to judge who is and who isn't drawing the line arbitrarily.

The final problem for Waldron's attempt to transport a Lockean conception of equality to our time, theological warrant intact, arises out of the argument Waldron makes that "shadows [are] cast by the principle of basic equality on the whole apparatus of property and economy" (p. 170). Locke's conception of property is not adequately explained, says Waldron, by a "mixing" model of labor. Justifying the conversion of "waste" land to fruitful private property requires the teleology of a divine injunction to preserve ourselves and others. Locke's constraint on spoliation is similarly motivated. The shadow metaphor is instructive: the argument for private property lies under the shadow of equality. So, on Waldron's claim that arguments for concepts can determine their contents, we should expect our senses of "property," "equality," and "person" to be influenced by an argument for private property based on an injunction to charity arising out

of a recognition of the equality of persons. If the justification for property arises from the duty to promote the survival of others, a duty recognizable to anyone with abstract reason, then won't the infantilization or dehumanization of any group that persistently ignores this duty likely occur? Locke seems to think anyone who refuses to cultivate the land—e.g., Native Americans—cannot be regarded as equals or as fully human. Of course this doesn't *follow* from Locke's view. And Waldron succeeds in showing that Locke didn't *intend* to "dehumanize the native Americans," but that's beside the point. By showing that the way we argue for conceptions can determine the way we understand concepts and so, raising the question that we might not be able to bracket Locke's theological basis from our own conceptions of equality, Waldron thereby implies that the the Lockean conception may itself be tainted by its role in the argument for private property. So, even though Locke didn't intend to dehumanize Native Americans, it isn't surprising either that his view of property leads us in that direction. To his credit Waldron is more effective responding to a similar kind of worry about Locke's claim that atheists should not be tolerated.

The focus here has been narrow and any impression of a general criticism of the book is unintended. As has been said, Waldron shows that theological warrant cannot be bracketed from Locke's argument for equality and, so too, that theological content cannot be bracketed from the sense of equality for Locke. The extension and defense of the central argument in other chapters—e.g., in his discussion of Locke's view of the relation between husbands and wives (chapter 2), in his discussion of Locke's view of property (chapter 6), in his discussion of the dearth of New Testament texts in Locke's account of equality (chapter 7), in his discussion of Locke's unwillingness to extend tolerance to atheists (chapter 8)—are interesting, careful, well argued, and nicely attuned to the Lockean texts. Waldron has obviously been living with these texts for a long time and is a sure, if not always persuasive, guide through the thickets of Lockean texts.

While Waldron warns us that we bracket the theology from Locke's view at our peril, it becomes clear that in Ross Harrison's *Hobbes, Locke, and Confusion's Masterpiece* we find the classically liberal sensibility that our justification of the state cannot rest on religious or theological premises, given the depth and breadth of religious disagreement and given the potential (oft actualized in the 17th century) of religious disagreement to lead to bloodshed. The only arguments that can speak to us from this "religiously saturated" and "biblically soaked" century (one cannot help but conclude that Harrison thinks believers are all wet) are those in which God has no weight bearing role. So, in agreeing with Waldron, that we can't get the God out of Locke, we must acknowledge that Locke cannot speak to us or at least that he cannot speak to us as some of his followers (Nozick, again) would claim. We cannot get the God out of Locke's account of property, his understanding of natural law (since law requires makers and punishers), or his account of how we learn what is morally required of us (since in *The Reasonableness of Christianity* Locke is forced to admit reason's failure in producing morality and, hence, to admit the necessary role of revelation as a moral teacher).

Harrison turns, for one chapter, to the efforts of Grotius and Pufendorf

to produce the traditional claims of natural law without depending on a special revelation of God's will. While Harrison does not argue that Grotius and Pufendorf fail in the justificatory endeavor, he does seem to doubt whether their account of how we are motivated to follow natural law—the separate forces of conscience and opinion—is adequate to the fact that politics is concerned with real power. So, for an account that gives us both the content of traditional natural law and an adequate account of motivation, we must, argues Harrison, turn to Hobbes, “the greatest political philosopher.”

Harrison's reading of Hobbes is very close, produced by a constant good-natured hectoring of texts from *Leviathan*, *De Cive*, and *The Elements of Law*. I will here adumbrate the main moves in the reading of Hobbes. First, the good reasons Hobbes provides for seeking the security of the state are prudential, “head in the bed” (a reference to the famous episode in *The Godfather*) reasons. It is self-preservation that drives us to choose the Leviathan. To the degree that we can leverage the state out of the most individual, self-interested prudential reason, Harrison says, to that degree will our argument be dialectically robust. Shades of Rawls on the circumstances of justice, one is inclined to say. Second, for Hobbes God plays no weight bearing role in deriving the traditional claims of natural law because, for Hobbes, political science is a science proper, and religious claims are based on faith not knowledge in a properly scientific sense. Harrison hastens to add that Hobbes thinks that he can also warrant natural law claims with biblically based arguments (a hint of overlapping consensus here) but that, unlike Locke, he thinks those arguments are dispensable. Third, natural laws in the state of nature provide only hypothetical imperatives; for example, we are obligated to keep agreements only if we think others will also keep agreements. We have good reasons to keep agreements only if others do, and hence good reasons to want others to keep agreements, but we can have no assurance that agreements will be kept in the absence of a power that will enforce agreements. Hence, we have good reasons to want the Leviathan. However, fourth, if consent, understood in a contractual sense, is necessary to authorize the Leviathan, then we have the practical problem of avoiding a regress of agreements to keep agreements. We may see that we need Leviathan, because we see that our ability to make moral evaluations is exactly what makes our disagreements intractable, but we can also see that we have no way of contracting our way out of the nasty state of nature. We are haunted by prisoner's dilemmas and the prospect of free riders. Therefore, fifth, Harrison argues that for Hobbes consent has to mean mere agreement of wills, a simultaneous realization that our lives depend on exiting the state of nature, of, as he vividly pictures it, simultaneously dropping our spears. Hobbes' understanding of this phenomenon is a scientific understanding—the move from state of nature to civil state is to be understood on analogy to the move from caterpillar to butterfly. That is, it just naturally happens. So, sixth, Harrison gives a reading of Hobbes that is not a game theoretic reading. This because the calculation we make in the state of nature is not one of comparative advantage, but rather of what it will take to survive. We are driven into the state by fear. We fearfully lay down our spear for

the perfectly good reason that we fear even more being in a circle of potential spear throwers, of a war of all against all.

This is a dense summary no doubt, and it is similarly doubtless that justice can't be done to the reading in a paragraph. This is a book that repays careful reading and rereading. One reward for readers, even for the many who will not agree with Harrison's judgment about Hobbes' relevance and greatness, is Harrison's careful questioning of the role consent plays in all four of the figures considered. Again and again Harrison finds, that the language of consent covers real rhetorical work being done by the deliverance of reason or natural law, the calculation of utilities, the recognition of power, etc. The need for this rhetorical work rests in part on the difficulties of making any story about actual or tacit consent do justificatory work.

On Harrison's reading Hobbes' greatness consists largely in his transportability to our age. But exactly how transportable, on Harrison's reading, is hard to judge, given that he never puts Hobbes into conversation with 21st century political questions (although he gets Hobbes part way towards us by putting him into conversation with 19th century thinkers like Bentham) and given the dearth of discussion of the Hobbesian commonwealth. Harrison argues that the case for Hobbes' transportability rests on the thinness of Hobbes' moral presuppositions. He bootstraps a justification of and a motivation to form the state without appeal to God, either as the source of the content or the enforcer of natural law, while adverting only to reasons of the prudential "head-in-the-be" sort. Moreover, unlike Locke, and to his credit says Harrison, Hobbes realizes that natural law claims provide only hypothetical imperatives. It is good for us to keep agreements and to have agreements kept, just in case we can be confident that agreements will be kept. But we can have that confidence only if we subordinate our wills to that of the Leviathan. On Harrison's reading the genius of Hobbes is that he provides a political solution to his century's problem of confronting "confusion's masterpiece"—the seemingly intractable fact of moral and religious disagreement. In Hobbes we get the goods we recognize in natural law only if Leviathan gives them.

So it looks like Harrison transports Hobbes to our time in the guise of legal positivism. Fairness requires the "looks like" caveat, since Harrison does not put the transported Hobbes into conversation with this century in the way Waldron does Locke. But it looks like this is a Hobbes Robert Bork could love—given what Rawls calls "the fact of a plurality of reasonable but incompatible comprehensive doctrines," the only solution to the problem of permanent moral and religious disagreement is for the sovereign, Leviathan, to decide. While it is interesting and possibly timely, given a variety of communitarian and republican criticisms of liberalism, to argue that politics plays an essential role in making morality possible, it is also unsettling, to say the least, to read in the last line of the book that politics plays an essential role in resolving moral and intellectual conflicts. This is especially so, given that, at least in Western democracies, Leviathan speaks in the voice of the majority, given Hobbes' absolutism with respect to the prerogative of the sovereign, given Harrison's argument that the claims of natural law are, in Hobbes, only given effect by the Leviathan. The specter of Hobbes' Leviathan, perhaps especially in a democratic form

(Mill's tyrannical majority it would seem), might well incline us to hold out for moral constraints on politics, on law, even if they be of the thick, no doubt objectionable, Lockean kind.

An Essay on Divine Authority by Mark C. Murphy. Cornell Studies in the Philosophy of Religion, Cornell University Press: Ithaca, 2002, 197 pages.

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Mark Murphy's *An Essay on Divine Authority* is a new and original work in the distinguished Cornell Studies in the Philosophy of Religion edited by William Alston. The new Problem of Divine Authority is that of (1) answering whether God has practical authority over created rational beings, and (2) providing an explanation of the extent of that authority. Why has this problem been unduly neglected?

Philosophers have failed to see the Problem of Divine Authority, according to Murphy, because they have been blinded by widely held philosophical assumptions. On the one hand, philosophers who assume that "it is a platitude that God is authoritative" regard the thesis as tautological like 'bachelors are unmarried' and hence trivially true. On the other hand, philosophers who regard Euthyphro's dilemma as decisive against Divine Command ethics, assume that the dilemma refutes the Divine authority thesis. Both assumptions, Murphy argues, are unwarranted. Euthyphro's dilemma is directed against normative Divine Command theories of ethics that postulate God's authority as a supreme moral principle; however, the defender of Divine Authority is not committed to such a view. Moreover, even the truism 'all bachelors are unmarried' becomes an open question when regarded as "a *de re* question, a question about why *these* particular bachelors are unmarried." The Problem of Divine Authority is not so easily dismissed.

Murphy's examination depends on distinguished between the objective claim of God's being the supreme authority and the subjective claim of God's being practically authoritative for me. *Practical authority*, according to Murphy's explication, is a relationship in which the *dictates* of one party (e.g., God) gives another party (e.g., a creative rational being) a *decisive* reason for action. The reason for action is a fact that must be *complete* (it includes "all that makes an action choiceworthy") and *compact* (it includes *only* those facts that are, at least in part, constitutive of choiceworthiness). Given the infinity of God's good-making attributes and the finitude of created rational beings, however, one wonders whether the requirement of completeness could be fulfilled in principle, let alone be required for rationality.

Moreover, God's having *causal* control over an agent's actions does not imply that God is practically authoritative. For God to be *practically authoritative* over an agent, Murphy explains, God's telling agent *x* to perform an action ϕ must "*constitutively actualize*" a reason for *x* to ϕ , namely, a reason, which if undefeated, is decisive. Explaining just how God's dictates might constitutively actualize a reason leads Murphy to articulate three grades of Divine Authority.